

MAR 27 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

WILLIAM R. SMITH,  
Plaintiff,

Civil Action No. 2:07cv00043

v.

**ORDER**

MICHAEL J. ASTRUE,  
Commissioner of Social Security,  
Defendant.

By: GLEN M. WILLIAMS  
SENIOR UNITED STATES DISTRICT JUDGE

For the reasons stated in the Memorandum Opinion accompanying this final judgment, it is **ADJUDGED** and **ORDERED** as follows:

1. The motion for summary judgment filed by the Commissioner of Social Security is **denied**;
2. The motion for summary judgment filed by the plaintiff is **denied**;
3. The final decision of the Commissioner denying benefits is **vacated**;
4. The plaintiff's claims shall be **remanded** pursuant to "sentence four" of 42 U.S.C. § 405(g) for further development;
5. The Clerk shall send a certified copy of this Final Judgment and the accompanying Memorandum Opinion to all counsel of record; and
6. The Clerk is directed to close the case.

ENTER: This 27<sup>th</sup> day of March, 2008.

*[Signature]*

THE HONORABLE GLEN M. WILLIAMS  
SENIOR UNITED STATES DISTRICT JUDGE